

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)
) Case No. 1-11-CR-14
v.)
) COLLIER / LEE
LASHAWN BOOKER)

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court:

(1) grant Defendant's motion to withdraw her not guilty plea to Count One of the three-count Superseding Indictment (2) accept Defendant's plea of guilty to the lesser included offense of the charge in Count One, that is of conspiracy to distribute a mixture and substance containing cocaine base "crack," in violation of 21 U.S.C. §§ 846 and 841(b)(1)(C); (3) adjudicate Defendant guilty of the lesser included offense of the charge in Count One, that is of conspiracy to distribute a mixture and substance containing cocaine base "crack," in violation of 21 U.S.C. §§ 846 and 841(b)(1)(C); (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) allow Defendant to remain on bond under appropriate conditions of release pending sentencing in this matter (Court File No. 41). Neither party filed a timely objection to the report and recommendation.

After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Court File No. 41) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw her not guilty plea to Count One of the Superseding Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to the lesser included offense of the charge in Count One, that is of conspiracy to distribute a mixture and substance containing cocaine base

“crack,” in violation of 21 U.S.C. §§ 846 and 841(b)(1)(C) is **ACCEPTED**;

(3) Defendant is hereby **ADJUDGED** guilty of the lesser included offense of the charge in Count One, that is of conspiracy to distribute a mixture and substance containing cocaine base “crack,” in violation of 21 U.S.C. §§ 846 and 841(b)(1)(C);

(4) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and

(5) Defendant **SHALL REMAIN** on bond under appropriate conditions of release pending sentencing in this matter, which is scheduled to take place on **Thursday, October 6, 2011 at 2:00 p.m.** before the Honorable Curtis L. Collier.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE